



~~October 21, 2003 CPC~~
October 22, 2003 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0108

The Chesdin Company, L.L.C. and
Five Forks Corporation

Matoaca Magisterial District
Gates Elementary School, Bailey Bridge Middle School
and Matoaca High School Attendance Zones
Northeast line of Woodpecker Road

REQUEST: Rezoning from Agricultural (A) to Residential (R-88) with Conditional Use to permit private recreational facilities on a maximum of five (5) acres of the 468.5 acre parcel. (Proffered Condition 10)

PROPOSED LAND USE:

A single family residential subdivision with a private boat launch facility on Lake Chesdin is planned. Proffered Condition 2 limits development to no more than 149 lots yielding a density of approximately 0.32 dwelling units per acre.

PLANNING COMMISSION RECOMMENDATION

THE COMMISSION IS SCHEDULED TO CONSIDER THIS REQUEST ON OCTOBER 21, 2003. STAFF WILL ADVISE THE BOARD OF THE COMMISSION'S ACTION ON OCTOBER 22, 2003.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

Providing a FIRST CHOICE Community Through Excellence in Public Service.

- A. The request complies with the Southern and Western Area Plan which suggests the property is appropriate for residential use of 1 to 5 acre lots, suited for Residential (R-88) zoning.
- B. As conditioned, the proposed zoning and land use are representative of, and compatible with, existing and anticipated area development.
- C. The proffered conditions address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the County's adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvements Program and the impact of this development is discussed herein. The proffered conditions adequately mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained as necessary to protect the health, safety and welfare of the County citizens.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

The Applicants (the "Applicants") in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffers that the development of the property known as Chesterfield County Tax Identification Numbers 741-625-0241 (part), 741-627-1721, 742-624-9671 and 745-622-6373 (part) (the "Property") under consideration will be developed according to the following conditions if, and only if, the rezoning request for R-88 with Conditional Use is granted. In the event the request is denied or approved with conditions not agreed to by the Applicants, the proffers and conditions shall immediately be null and void and of no further force or effect. If the zoning is granted, these proffers and conditions will supersede all proffers and conditions now existing on the Property.

- (STAFF) 1. Timbering. With the exception of timbering which has been approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department. (EE)
- (STAFF) 2. Number of Lots. No more than 149 single family residential lots shall be developed on the Property. (P)

- (STAFF) 3. Manufactured Homes. Manufactured homes shall not be permitted on the Property. (P)
- (STAFF) 4. Covenant Regarding Manufactured Homes. The following shall be recorded as restrictive covenants in conjunction with recordation of any subdivision plat for the Property: "No manufactured homes shall be allowed to become a residence, temporary or permanent." (P)
- (STAFF) 5. Cash Proffer. For each single family residential dwelling unit developed on Tax IDs 741-625-0241 (part), 741-627-1721 and 742-624-9671, and for each single family dwelling unit developed in excess of 20 on or bisected by the southern (and/or) western boundary of Tax ID 745-622-6373 (part), the applicant, subdivider, or assignee(s) shall pay \$9,000.00 per unit to the County of Chesterfield, prior to the time of issuance of a building permit, for infrastructure improvements within the service district for the Property if paid prior to July 1, 2003. Thereafter, such payment shall be the amount approved by the Board of Supervisors not to exceed \$9,000.00 per unit as adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2002 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2003. If any of the cash proffers are not expended for the purposes designated by the Capital Improvement Program within fifteen (15) years from the date of payment, they shall be returned in full to the payor. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not in addition to, any impact fees in a manner as determined by the County. (B&M)
- (STAFF) 6. Dedication of Right-of-Way. In conjunction with recordation of the initial subdivision plat, thirty-five (35) feet of right-of-way along the south side of Ivey Mill Road, measured from the centerline of that part of Ivey Mill Road immediately adjacent to the Property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
- (STAFF) 7. Access. Direct access from the Property to Ivey Mill Road shall be limited to no more than one (1) public road. The exact location of this access shall be approved by the Transportation Department. (T)
- (STAFF) 8. Road Improvements. To provide an adequate roadway system, the developer shall be responsible for the following improvements:
- a. If direct access is provided to the Property from Ivey Mill Road, construction of additional pavement along Ivey Mill Road at the approved access to provide left and right turn lanes, based on Transportation Department standards.

- b. Dedication to and for the benefit of Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above. (T)
- (STAFF) 9. Phasing Plan. Prior to any construction plan approval, a phasing plan for the required road improvements, as identified in Proffered Condition 8, shall be submitted to and approved by the Transportation Department. (T)
- (STAFF) 10. Private Recreation Facilities. Private recreation facilities shall be permitted on up to five (5) acres within the Property, subject to the following requirements:
- a. Development of private recreational facilities on the Property shall be limited to indoor/outdoor recreational uses only such as club houses, a private boat launch facility, swimming pools, tennis or other court facilities, playfield and associated recreational facilities.
- b. A fifty (50) foot buffer shall be provided along the non-waterfront perimeter of all active recreational facilities, including but not limited to boat launches, except where adjacent to any existing or proposed road. This buffer shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers.
- c. Boat launches, outdoor playfields, courts, swimming pools and similar active recreational areas shall be set back a minimum of 100 feet from any proposed or existing single family residential lot line and a minimum of fifty (50) feet from any existing or proposed public road. Nothing herein shall prevent the development of any indoor facilities and/or parking within the 100 foot setback. (P)

GENERAL INFORMATION

Location:

South line of Ivey Mill Road, east of Chesdin Landing Drive. Tax IDs 741-625-Part of 0241; 741-627-1721; 742-624-9671 and 745-622-Part of 6373 (Sheet 39).

Existing Zoning:

A

Size:

468.5 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - A and R-25; Single family residential or vacant
South - A; Lake Chesdin or vacant
East - A and R-25; Single family residential or vacant
West - R-88; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along the south side of Ivey Mill Road, adjacent to this site. In addition, an eight (8) inch water line extends along Corte Castle Road in Rivers Trace Subdivision, approximately 1,400 feet north of this site. Use of the public water system is required by County Code.

Public Wastewater System:

The public wastewater system is not available to serve the request site. This site is within the area designated by the Southern and Western Area Plan where the use of private septic systems is permitted. Use of private septic systems is intended.

Private Septic System:

Prior to recordation of the subdivision plat, the developer must submit soils analysis for each lot to the Health Department for review and approval.

ENVIRONMENTAL

Drainage and Erosion:

There are currently no on- or off-site drainage or erosion problems with none anticipated after development. The property is mostly wooded and, as such, should not be timbered without first obtaining a land disturbance permit from Environmental Engineering (Proffered Condition 1). This will insure that adequate erosion control measures are in place prior to any land disturbance.

Water Quality:

The property is located adjacent to Lake Chesdin, a perennial stream subject to a 100 foot conservation area (RPA) in which there are very limited uses permitted.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that emergency service calls are expected to increase forty-five (45) percent by 2015. Eight (8) new fire/rescue stations are recommended for construction by 2015 in the Plan. Based on 149 dwelling units, this request will generate approximately fifteen (15) calls for fire and emergency medical services each year. The impact on these facilities has been addressed. (Proffered Condition 5)

The Phillips Fire Station, Company Number 13, and Ettrick-Matoaca Volunteer Rescue Squad currently provide fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process. The applicant has been working with staff and the developer of an adjacent parcel to provide secondary access to this development.

It should be noted that continued development in this area would strain the all-volunteer fire company resources. This may affect response time goals.

Schools:

Approximately seventy-nine (79) new students will be generated by this development.

This site lies in the Gates Elementary School attendance zone: capacity – 715, enrollment – 852; Bailey Bridge Middle School zone: capacity – 1,621, enrollment – 1,617; and Matoaca High School zone: capacity 1,573, enrollment – 1,225.

This request will have an impact on the elementary school involved. It will also have an impact at the middle school level because Bailey Bridge is so close to capacity. Currently, there are nine (9) trailers at Gates Elementary and twenty (20) trailers at Bailey Bridge Middle.

This case will have an impact; however, the developer has addressed the impact on schools in accordance with the Board of Supervisors' policy. (Proffered Condition 5)

Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County. Even

with facility improvements that have been made in the last few years, there is still an unmet need for additional library space throughout the County. Development of the request property would most likely affect the Ettrick-Matoaca Library. The impact on library facilities has been addressed. (Proffered Condition 5)

Parks and Recreation:

The Public Facilities Plan identifies the need for four (4) new regional parks. In addition, there is currently a shortage of community park acreage in the County. The Plan identifies a need for 625 acres of regional park space and 116 acres of community park space by 2015. The Plan also identifies the need for neighborhood parks and special purpose parks and makes suggestions for their locations.

The applicant has offered measures to assist in addressing the impact of this proposed development on these Parks and Recreation facilities consistent with the Board of Supervisors' policy. (Proffered Condition 5)

Transportation:

The property, consisting of 468.5 acres, is currently zoned Agricultural (A) on 434.6 acres and residential (R-25) on 33.9 acres. The applicant is requesting rezoning to residential (R-88). The applicant has proffered that a maximum density of 149 lots will be developed on the property (Proffered Condition 3). The applicant intends to develop the property as an extension of Chesdin Landing Subdivision. Based on single-family trip rates, development could generate approximately 1,430 average daily trips. These vehicles will be distributed through the adjacent subdivisions (Chesdin Landing, Rivers Trace and Pypers Pointe) to Ivey Mill Road and River Road, which had 2003 traffic counts of 1,423 and 2,699 vehicles per day, respectively.

The Thoroughfare Plan identifies Ivey Mill Road as a collector with a recommended right of way width of seventy (70) feet. The applicant has proffered to dedicate thirty-five (35) feet of right of way, measured from the centerline of Ivey Mill Road, in accordance with that Plan. (Proffered Condition 6)

The Thoroughfare Plan identifies a proposed east/west collector extending from Exter Mill Road at its intersection with Trents Bridge Road, eastwardly through the River Trace Subdivision and through part of the subject property, to Ivey Mill Road. The Thoroughfare Plan also identifies a proposed north/south collector extending from the proposed east/west collector, northward through the River Trace Subdivision, to River Road. These collector roads have recommended right of way widths of seventy (70) feet. The Southern and Western Land Use Plan suggests this area of the County would be appropriate for one (1) to five (5) acre lots. Due to the existing development in the area and the proposed density of this development (average 3.14 acres per lot), staff supports elimination of the proposed east/west collector from Exter Mill to Ivey Mill Road, and elimination of the proposed north/south collector from the proposed east/west collector to River Road. In order to serve

the properties north of River Trace Subdivision, a residential collector street may need to be provided from the River Trace Subdivision to River Road. As development proposals are submitted for those properties, staff will evaluate the need for a residential collector street. The Subdivision Ordinance requires that subdivision streets must conform to the Planning Commission's Stub Road Policy, which suggests that traffic volumes on those streets should not exceed an acceptable level of 1,500 vehicles per day. As previously stated, traffic generated from development of the subject property will be distributed through the Chesdin Landing, Rivers Trace and Pypers Pointe Subdivisions. In accordance with the Stub Road Policy, specific recommendations regarding the impact of this traffic on those adjacent subdivision streets will be provided at time of tentative subdivision review.

Access to collectors, such as Ivey Mill Road, should be controlled. The applicant has proffered that direct access from the property to Ivey Mill Road will be limited to no more than one (1) public road (Proffered Condition 7). The applicant may decide not to construct this access onto Ivey Mill Road, but instead access the property from Chesdin Landing Drive in Chesdin Landing Subdivision.

The traffic impact of this development must be addressed. The applicant has proffered to construct left and right turn lanes along Ivey Mill Road at the public road intersection based on Transportation Department standards, if an access is constructed onto Ivey Mill Road. (Proffered Condition 8)

The Thoroughfare Plan identifies the need to improve existing roads, as well as construct new roads to accommodate growth. Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Ivey Mill Road and River Road will be directly impacted by development of this property. Sections of Ivey Mill Road have twenty (20) foot wide pavement with five (5) foot wide shoulders. Sections of River Road have twenty-two (22) foot wide pavement with no shoulders. The standard typical section for these roadways should be twenty-four (24) foot wide pavement, with minimum eight (8) foot wide shoulders. Their capacities are acceptable for the volumes of traffic they currently carry; Ivey Mill Road - Level of Service B and River Road - Level of Service C. The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors' Policy, towards mitigating the traffic impact of this development on area roads. (Proffered Condition 5)

At time of tentative subdivision review, specific recommendations will be provided regarding stub road rights of way to adjacent properties and the proposed internal street network.

Financial Impact on Capital Facilities:

		<u>PER UNIT</u>
Potential Number of New Dwelling Units	129*	1.00
Population Increase	350.88	2.72
Number of New Students		
Elementary	30.96	0.24
Middle	16.77	0.13
High	21.93	0.17
TOTAL	69.66	0.54
Net Cost for Schools	625,263	4,847
Net Cost for Parks	89,397	693
Net Cost for Libraries	48,375	375
Net Cost for Fire Stations	51,729	401
Average Net Cost for Roads	530,061	4,109
TOTAL NET COST	1,344,825	10,425

*Based on a proffered maximum number of lots reduced by 20 units allowable on the R-25 parcels (Proffered Condition 2). Actual number of units and corresponding impact may vary.

The need for schools, parks, libraries, fire stations and transportation facilities in this area is identified in the County's adopted Public Facilities Plan, Thoroughfare Plan, and Capital Improvement Program and further detailed by specific departments in the applicable sections of this request analysis.

As noted, this proposed development will have an impact on capital facilities. This request is seeking the ability to develop dwelling units on 468.5 acres of property of which 33.9 acres were previously zoned R-25. The applicant has proffered that a maximum of 149 units will be developed. In accordance with existing policy, a credit of twenty (20) units can be given and applied to units developed on the R-25 property. Policy does not permit the transfer of these credits to other parcels beyond the R-25 boundaries. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries and fire stations at \$10,425 per unit. Accordingly, the applicant has been advised that a maximum cash proffer of \$9,000 per dwelling unit would defray the cost of the capital facilities necessitated by this proposed development for any unit developed outside of the R-25 boundaries and for any unit in excess of twenty (20) units on the R-25 property. Consistent with the Board of Supervisors' policy and proffers accepted from other applicants, the applicant has offered cash to assist in defraying the cost of this proposed zoning on such capital facilities.

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case. (Proffered Condition 5)

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Southern and Western Area Plan which suggests the property is appropriate for residential use of 1 to 5 acre lots, suited for Residential (R-88) zoning.

Area Development Trends:

Properties surrounding the request property are zoned Agricultural (A), Residential (R-88) and Residential (R-25) and are occupied by single family dwellings within Chesdin Landing, Rivers Trace and Pypers Pointe Subdivisions, single family dwellings on acreage parcels or are vacant. It is anticipated that residential development will continue in this immediate area, consistent with the Plan.

Zoning History:

Approximately thirty-four (34) acres of the request property is zoned Residential (R-25). On July 26, 1989, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning from Agricultural (A) to Residential (R-25) of 336.4 acres including a portion of this request property (Case 89SN0142). A condition and proffered conditions addressed concerns relative to buffering along River Road and Lake Chesdin, and other environmental and utility concerns. In addition, on March 28, 1990, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning from Agricultural (A) to Residential (R-25) of 123.1 acres, with a Conditional Use on 5.8 acres to permit recreational facilities (Case 89SN0342). This rezoning also included a portion of the request property. Conditions and proffered conditions addressed concerns relative to density, engineering, utility, site design and transportation concerns.

Density and Lot Sizes:

Proffered Condition 2 limits development to a maximum of 149 residential lots yielding a density of approximately 0.32 dwelling units per acre.

The Residential (R-88) District requires that each lot contain a minimum of 88,000 square feet, except the minimum area for lots which do not front on a major arterial may be reduced to 65,340 square feet when public water or public sewer are provided. Likewise, if such lots are served by both public water and sewer, the minimum lot area may be reduced to one (1) acre. The R-88 District standards provide a calculation to derive the number of reduced-size

lots that would be permitted. This calculation permits one-half (1/2) of a unit to the acre for net developable acreage (excluding land areas constituting roads, limits of the base flood areas and resource protection areas), and includes bonus provision, or additional lots, for land area permanently preserved as open space.

The subdivision layout and design, including the minimum lot areas and any open space/bonus lot calculations, are reviewed during the subdivision process.

Use Limitations:

Proffered Condition 3 precludes manufactured homes. The Ordinance also precludes manufactured homes in residential zoning districts. The proffered condition has been offered in anticipation of a potential State Law change which may require localities to allow manufactured homes in residential districts. If the State Law is amended, depending upon the adopted language, this proffered condition may not be enforceable in the future.

Restrictive Covenants:

Proffered Condition 4 requires restrictive covenants to be recorded in conjunction with the recordation of any subdivision plat that prohibits manufactured homes. As previously noted, the Ordinance currently precludes manufactured homes in residential zoning districts.

The County will only insure the recordation of the covenants and will not be responsible for their enforcement. Once the covenants are recorded, they can be changed.

Recreational Facilities:

The applicant is requesting approval of a Conditional Use on five (5) acres of the request site to permit private recreational facilities. Proffered Condition 10 provides that the private recreational facilities shall be limited to indoor/outdoor recreational uses such as club houses, a private boat launch facility, swimming pools, tennis or other court facilities and playfields and further establishes minimum setback and buffer requirements around the facilities. (Proffered Condition 10)

CONCLUSIONS

The request complies with the Southern and Western Area Plan which suggests the property is appropriate for residential use of 1 to 5 acre lots, suited for Residential (R-88) zoning. As proposed, the zoning and land use are representative of, and compatible with, existing and anticipated area development.

Further, the proffered conditions address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the need for transportation, schools, parks, libraries and fire stations is identified in the County's adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvement Program and the impact of this

development is discussed herein. The proffered conditions adequately mitigate the impact on capital facilities, thereby insuring that adequate service levels are maintained as necessary to protect the health, safety and welfare of County citizens.

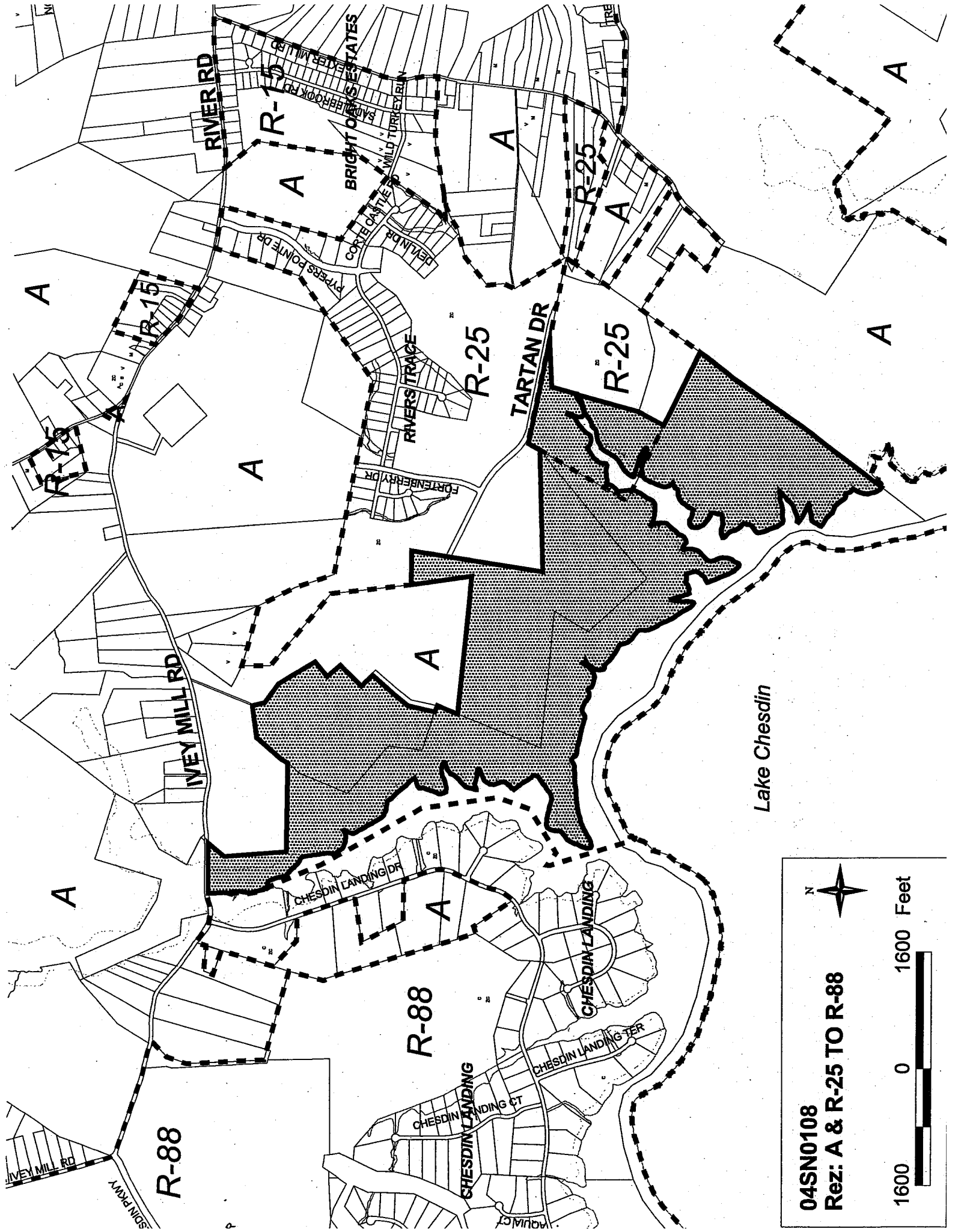
Given these considerations, approval of this request is recommended.

CASE HISTORY

Staff (10/14/03):

The Commission is scheduled to consider this case on October 21, 2003. Staff will advise the Board of the Commission's action on October 22, 2003.

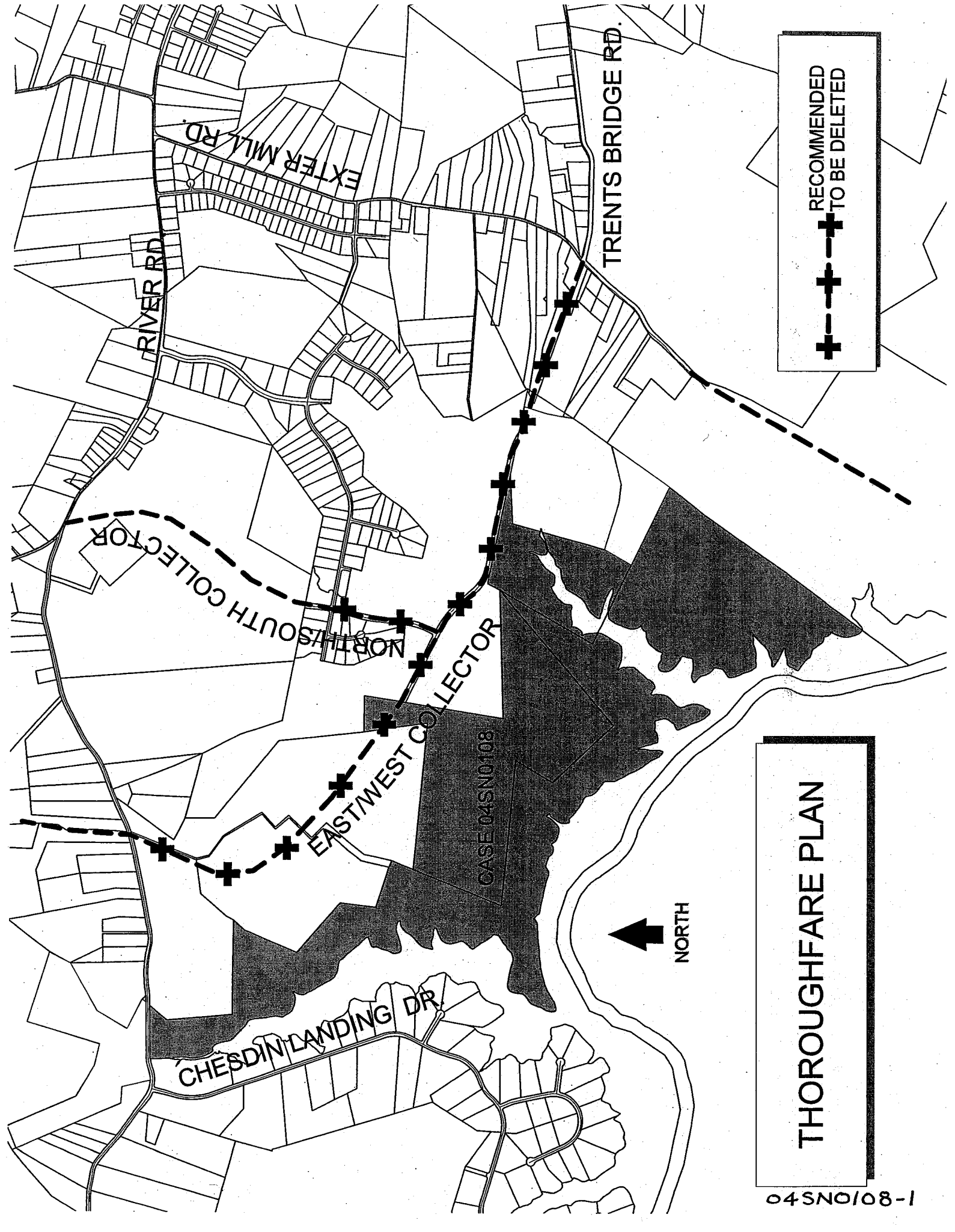
The Board of Supervisors, on Wednesday, October 22, 2003, beginning at 7:00 p.m., will take under consideration this request.



04SN0108
Rez: A & R-25 TO R-88

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THOROUGHFARE PLAN

04SN0108-1